IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLN.NO.1679 OF 2007

Vikas Shyamlal Gill ..Applicant
Vs.
State of Maharashtra ..Respondents

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Mr.V.V.Purwant Advocate for Applicant
Mr.V.B.Konde-Deshmukh A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JUNE 06, 2007

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking anticipatory bail in C.R.No.I-156 of 2007 of Ambarnath Police Station. The said case is under Section 326 r.w. Section 34 of IPC.

3. It is the case of the complainant that there were disputes between him and the present applicant in respect of one hotel. On 24.4.2007, he was assaulted by two persons who came on motor-cycle. It is the case of the complainant that he suspects that these persons assaulted him on the instructions of present applicant.

4. Admittedly the applicant was not present at the

relevant time. I have perused the complaint. It is the case of the complainant that out of two persons who had come on motor cycle, only one person assaulted the complainant. When that person assaulted the complainant, the other person told first person that they were instructed not to assault but they were instructed only to give threats. In such case, it cannot be said that the applicant would be liable for the action of the person who assaulted the complainant. In this view of the matter, I am inclined to grant anticipatory bail to the applicant.

5. In the event of arrest, the applicant to be released on bail in the sum of Rs.30,000/- (Rs.thirty thousand only) with one or two sureties to make up the said amount in C.R.No.I-156 of 2007 of Ambarnath Police Station. The applicant shall report to the concerned Police Station as and when required till the filing of the charge sheet and thereafter once in a fortnight till the conclusion of trial.

6. Application is disposed of.

[Smt. V.K.Tahilramani, J.]